

**House File 2103 - Introduced**

HOUSE FILE 2103

BY INGELS

**A BILL FOR**

1 An Act relating to private land available for public use for  
2 recreational purposes.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 461C.2, Code 2022, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 01. "*Bicycle*" means the same as defined in  
4 section 321.1 except the device may have any number of wheels.

5 Sec. 2. Section 461C.2, subsections 3 and 5, Code 2022, are  
6 amended to read as follows:

7 3. "*Land*" means private land that is one or any combination  
8 of the following: abandoned or inactive surface mines;  
9 caves; land used for agricultural purposes; marshlands;  
10 timber; grasslands; or the privately owned roads, railroad  
11 rights-of-way or crossings, paths, trails, waters, water  
12 courses, exteriors and interiors of buildings, structures,  
13 machinery, or equipment appurtenant thereto. "*Land*" includes  
14 land that is not open to the general public. "*Land*" also  
15 includes private land located in a municipality in connection  
16 with and while being used for urban deer control or a  
17 recreational purpose.

18 5. "*Recreational purpose*" means the following or any  
19 combination thereof: hunting, trapping, horseback riding,  
20 fishing, swimming, boating, camping, picnicking, jogging,  
21 walking, hiking, pleasure driving, motorcycling, bicycle  
22 riding, all-terrain vehicle riding, nature study, water skiing,  
23 snowmobiling, other summer and winter sports, educational  
24 activities, and viewing or enjoying historical, archaeological,  
25 scenic, or scientific sites while going to and from or  
26 actually engaged therein. "*Recreational purpose*" includes  
27 the activity of accompanying another person who is engaging  
28 in such activities. "*Recreational purpose*" is not limited to  
29 active engagement in such activities, but includes entry onto,  
30 use of, passage over, and presence on any part of the land in  
31 connection with or during the course of such activities.

32 EXPLANATION

33 The inclusion of this explanation does not constitute agreement with  
34 the explanation's substance by the members of the general assembly.

35 This bill relates to private land available for public use

1 for recreational purposes. The bill defines "bicycle" to mean  
2 a device having at least one saddle or seat for the use of a  
3 rider that is propelled by human power or a low-speed electric  
4 bicycle regardless of the number of wheels. The bill amends  
5 the definition of "land" to include privately owned railroad  
6 rights-of-way or crossings and to include land located in  
7 a municipality in connection with or while being used for  
8 a recreational purpose. The bill amends the definition of  
9 "recreational purpose" to include jogging, walking, and bicycle  
10 riding.

11 Current law provides that a holder of land who makes the  
12 land available for a public recreational purpose without charge  
13 does not owe a duty of care to keep the premises safe for entry  
14 or use by others for a recreational purpose or urban deer  
15 control, or to give any warning of a dangerous condition, use,  
16 structure, or activity on such premises to persons entering for  
17 such purposes.